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One Hundred Eighth Congress  
U.S. House of Representatives  
Select Committee on Homeland Security  
Washington, DC 20515

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August 16, 2004

Honorable Tommy Thompson  
Secretary  
Department of Health and Human Services  
Hubert Humphrey Building Room 615 F  
200 Independence Avenue SW  
Washington, DC 20201

Dear Secretary Thompson:

I am writing to follow up on our Committee's inquiries initiated in the spring of this year regarding the disposition of the FDA-licensed anthrax vaccine, known as "Anthrax Vaccine Absorbed" (AVA), in the Strategic National Stockpile (SNS). Specifically, it is my understanding that there is virtually no anthrax vaccine currently stored with the SNS despite the clear danger anthrax presents to the public and despite the existence of an agreement to acquire five million doses of the AVA vaccine from the Department of Defense (DOD). I am writing to request a clarification of the status of anthrax vaccine in the SNS.

As you know, the deadly anthrax mailings of 2001 remain the most serious bioterrorism incident in the United States to date. This history, combined with the relative ease with which anthrax can be collected and deployed, makes this agent one of the most serious bioterrorism threats we face. Vaccination of the general public has the potential to remove this threat by making the population immune. If sufficient information or suspicion of an impending attack with anthrax exists, a vaccine may be useful for protecting those who could eventually be exposed. In addition, the Centers for Disease Control (CDC) has recommended the use of the vaccine following exposure to prevent delayed infection. In keeping with this recommendation, AVA was offered to those exposed following the 2001 attacks.

In March, I was advised that the SNS did not contain significant quantities of anthrax vaccine. In April, the Department of Health and Human Services (DHHS), in conjunction with the Departments of Homeland Security and Defense, executed an Interagency Agreement that provided funds for the transfer of AVA from DOD to the SNS. The text of this agreement states "in order to protect individuals from potential bioterrorist activities involving the use of *Bacillus anthracis*, the DHHS has determined

that there is a need to maintain a stockpile of AVA as part of the SNS.” In April, your Office for Public Health Emergency Preparedness assured our Committee that the acquisition of five million doses of AVA for the SNS over the next three years, including up to two million doses in Fiscal Year 2004, was proceeding.

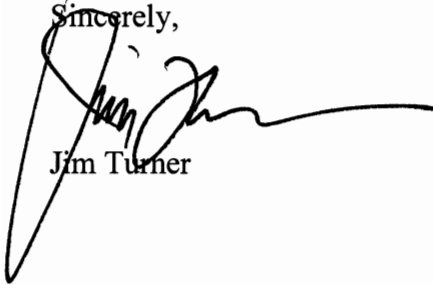
However, recent information provided to Committee staff indicates that no vaccine has yet been transferred to the stockpile, despite the availability of the product.

Please provide me and my staff with the following information.

1. What is the actual number of doses of AVA currently in the SNS for potential immediate deployment and use if an anthrax attack were to occur?
2. How many doses of AVA have been acquired for the SNS under the Interagency Agreement? Has the DHHS transferred any funds to the DOD for the acquisition of AVA for the SNS before the end of Fiscal Year 2004?
3. Does the DHHS have plans for funding acquisition of the additional doses of AVA during Fiscal Years 2005 and 2006?

I would appreciate receiving a prompt response to these questions given the seriousness of the bioterrorist threat and the urgency for the nation to have adequate medical countermeasures available for protecting our citizens. Please have your staff call John Sopko of my Committee staff at 226-2616 if they need additional clarification of these questions.

Sincerely,



Jim Turner

CC: Honorable Tom Ridge, Secretary, Department of Homeland Security  
Honorable Donald Rumsfeld, Secretary, Department of Defense  
Honorable Dara Corrigan, Acting Principal Deputy Inspector General,  
Department of Health and Human Service  
Honorable Clark Kent Irvin, Inspector General, Department of Homeland  
Security  
Honorable Christopher Cox, Chairman